

REMARKS

Claims 1-18 are pending in the Application. Claims 1-18 are rejected under 35 U.S.C. § 102(b). Applicants respectfully traverse these rejections for at least the reasons stated below and respectfully request the Examiner to reconsider and withdraw these rejections.

I. REJECTIONS UNDER 35 U.S.C. §102(b):

The Examiner has rejected claims 1-18 under 35 U.S.C. §102(b) as being anticipated by Curtis et al. (U.S. Patent No. 5,896,531) (hereinafter "Curtis"). Applicants respectfully traverse these rejections for at least the reasons stated below and respectfully request the Examiner to reconsider and withdraw these rejections.

For a claim to be anticipated under 35 U.S.C. §102, each and every claim limitation must be found within the cited prior art reference and arranged as required by the claim. M.P.E.P. §2131.

Applicants respectfully assert that Curtis does not disclose "responsive to initiation of a second program, making a determination whether creation of a new environment is a best response" as recited in claim 1 and similarly in claims 9 and 11. The Examiner cites column 5, line 45 – column 6, line 50 of Curtis as disclosing the above-cited claim limitation. Paper No. 4, page 2. Applicants respectfully traverse and assert that Curtis instead discloses determining if a task can utilize an existing environment (object management environment). This language is not the same as determining whether to create a new environment. Thus, Curtis does not disclose all of the limitations of claims 1, 9 and 11, and thus Curtis does not anticipate claims 1, 9 and 11. M.P.E.P. §2131.

Applicants further assert that Curtis does not disclose "responsive to a determination that creation of a new environment is a best response, creating a new environment for the second program" as recited in claim 1 and similarly in claims 9 and 11. The Examiner cites column 5, line 45 – column 6, line 50 of Curtis as disclosing the above-cited claim limitation. Paper No. 4, page 2. Applicants respectfully traverse and assert that Curtis instead discloses determining if a task can utilize an existing environment (object management environment). This language is not the same as creating a new environment for a second program. Further, this language is not the same as creating a new environment for a second program in response to determining that the creation of a new environment is a best response. Thus, Curtis does not disclose all of the limitations of claims 1, 9 and 11, and thus Curtis does not anticipate claims 1, 9 and 11. M.P.E.P. §2131.

Applicants further assert that Curtis does not disclose "responsive to a determination that creating a new environment is not a best response, testing the pool for a best fit environment" as recited in claim 1 and similarly in claims 9 and 11. The Examiner cites column 5, line 45 – column 6, line 50 of Curtis as disclosing the above-cited claim limitation. Paper No. 4, page 2. Applicants respectfully traverse and assert that Curtis instead discloses determining if a task can utilize a reusable object management environment. Curtis further discloses determining if the reusable object management environment is available. This language is not the same as testing a pool of reusable environments for a best fit environment. Determining if a reusable environment is available is not the same as testing a pool of reusable environments for a best fit environment. Further, this language is not the same as testing a pool of reusable environments for a best fit environment in response to determining that creating a new environment is not a best response. Thus, Curtis does not disclose all of the limitations of claims 1, 9 and 11, and thus Curtis does not anticipate claims 1, 9 and 11. M.P.E.P. §2131.

Applicants further assert that Curtis does not disclose "adding elements to the best fit environment to match requirements of the second program, unless the best fit environment already matches the requirements of the second program" as recited in claim 1 and similarly in claims 9 and 11. The Examiner cites column 5, line 45 – column 6, line 50 of Curtis as disclosing the above-cited claim limitation. Paper No. 4, page 2. Applicants respectfully traverse and assert that Curtis instead discloses determining if a task can utilize a reusable object management environment. Curtis further discloses determining if the reusable object management environment is available. Curtis further discloses determining if the available reusable object management environment is incompatible with the task. There is no language in the cited passage that discloses adding elements. Further, this language is not the same as adding elements to the best fit environment to match requirements of the second program. Further, this language is not the same as adding elements to the best fit environment to match requirements of the second program unless the best fit environment already matches the requirements of the second program. Thus, Curtis does not disclose all of the limitations of claims 1, 9 and 11, and thus Curtis does not anticipate claims 1, 9 and 11. M.P.E.P. §2131.

Claims 2-8, 10 and 12-18 each recite combinations of features including the above combinations, and thus are not anticipated for at least the above stated reasons. Claims 2-8, 10 and 12-18 recite additional features, which, in combination with the features of the claims upon which they depend, are not anticipated by Curtis.

For example, Curtis does not disclose "wherein at least one least recently used of the first, new and best fit environments is eligible to be deleted" as recited in claim 5 and similarly in claim 14. The Examiner cites column 5, line 45 – column 6, line 50; column 7, line 20 – column 8, line 50 of Curtis as disclosing the above-cited claim limitation. Paper No. 4, page 5. Applicants respectfully traverse and assert that

Curtis instead discloses that an object management environment that may not be kept or maintained. However, there is no language in the cited passages of deleting at least one least recently used of a first, new and best fit environments. Thus, Curtis does not disclose all of the limitations of claims 5 and 14, and thus Curtis does not anticipate claims 5 and 14. M.P.E.P. §2131.

Applicants further assert that Curtis does not disclose "wherein the elements are parameters of at least one of the first, the new and the best fit environments" as recited in claim 6 and similarly in claim 16. The Examiner cites column 5, line 45 – column 6, line 50 of Curtis as disclosing the above-cited claim limitation. Paper No. 4, page 6. Applicants respectfully traverse and assert that Curtis instead discloses determining if a task can utilize a reusable object management environment. Curtis further discloses determining if the reusable object management environment is available. There is no language in the cited passage that discloses parameters. Hence, the cited passage does not disclose parameters of at least one of the first, the new and the best fit environments. Thus, Curtis does not disclose all of the limitations of claims 6 and 16, and thus Curtis does not anticipate claims 6 and 16. M.P.E.P. §2131.

Applicants further assert that Curtis does not disclose "wherein the step of responsive to initiation of a second program, making a determination whether creation of a new environment is a best response comprises testing whether the pool has reached a maximum size" as recited in claim 7 and similarly in claim 17. The Examiner cites column 7, line 20 – column 8, line 50 and Figure 5 of Curtis as disclosing the above-cited claim limitation. Paper No. 4, page 6. Applicants respectfully traverse and assert that Curtis instead discloses that if the pool is not empty then a next reusable object management environment is selected from a list of object management environments. This language is not the same as testing whether

the pool has reached a maximum size. Instead, Curtis teaches determining if the pool is not empty. Thus, Curtis does not disclose all of the limitations of claims 7 and 17, and thus Curtis does not anticipate claims 7 and 17. M.P.E.P. §2131.

Applicants further assert that Curtis does not disclose "wherein the step of responsive to a determination that the pool has reached its maximum size, testing the pool for a best fit environment comprises a programmatically alterable test" as recited in claim 8 and similarly in claim 18. The Examiner cites column 7, line 20 – column 8, line 50 and Figure 5 of Curtis as disclosing the above-cited claim limitation. Paper No. 4, page 7. Applicants respectfully traverse and assert that Curtis instead discloses that if the pool is not empty then a next reusable object management environment is selected from a list of object management environments. As stated above, this language is not the same as testing whether the pool has reached a maximum size. Instead, Curtis teaches determining if the pool is not empty. Further, this language does not disclose testing the pool with a programmatically alterable test. Thus, Curtis does not disclose all of the limitations of claims 8 and 18, and thus Curtis does not anticipate claims 8 and 18. M.P.E.P. §2131.

As a result of the foregoing, Applicants respectfully assert that not each and every claim limitation was found within the cited prior art reference and thus claims 1-18 are not anticipated by Curtis.

II. CONCLUSION

As a result of the foregoing, it is asserted by Applicants that claims 1-18 in the Application are in condition for allowance, and Applicants respectfully request an allowance of such claims. Applicants respectfully request that the Examiner call Applicants' attorney at the below listed number if the Examiner believes that such a discussion would be helpful in resolving any remaining issues.

Respectfully submitted,

WINSTEAD SECHREST & MINICK P.C.

Attorneys for Applicants

By: 

Robert A. Voigt, Jr.

Reg. No. 47,159

Kelly K. Kordzik

Reg. No. 36,571

P.O. Box 50784
400 North Ervay Street
Dallas, Texas 75201
(512)370-2832